

**Waste Compliance and Mitigation Program Staff Report**  
Solid Waste Facilities Permit Modification for the  
San Francisco  
Solid Waste Transfer and Recycling Center  
SWIS No. 38-AA-0001  
March 17, 2010

**Background Information, Analysis, and Findings:**

This report was developed in response to the City and County of San Francisco Local Enforcement Agency (LEA) request for Department of Resources, Recovery and Recycling (Department) concurrence on the issuance of a proposed solid waste facilities permit modification for the San Francisco Solid Waste Transfer and Recycling Center (SFSWTRC), SWIS No. 38-AA-0001, located in the City and County of San Francisco and owned and operated by Recology, San Francisco. A copy of the proposed permit is attached. The report contains Waste Compliance and Mitigation Program (WCMP) staff's analysis, findings, and recommendations.

The proposed permit was received on February 3, 2010. Action must be taken on this permit no later than April 4, 2010. If no action is taken by April 4, 2010, the Department will be deemed to have concurred with the issuance of the proposed modified permit.

**Proposed Changes**

The following changes to the permit are being proposed:

	Current Permit (2002 SWFP)	Proposed Permit
Owner /Operator	Sanitary Fill Company	Recology San Francisco
Permit Conditions	Condition d: The maximum permitted daily tonnage for this facility is 5,000 tons per day, and the operator shall not receive more than this amount without a revision of this permit. The maximum daily tonnage, i.e., 5,000 tpd, is further limited per the facility TPR, Section F, Quantities of Waste Processed at the Facility, which states that the Transfer Station shall process no more than 4,200 tpd, the iMRF no more than 300 tpd of organic waste and 500 tpd of Construction and Demolition ("C&D") waste, and the Public Disposal and Recycling Area (PDRA) shall process no more than 250 tpd.	Condition d: The maximum permitted daily tonnage for this facility is 5,000 tons per day, and the operator shall not receive more than this amount without a revision of this permit. The maximum daily tonnage, i.e., 5,000 tpd, is further limited per the facility TPR, Section F, Quantities of Waste Processed at the Facility, which states that the Transfer Station shall process no more than 4,200 tpd, the iMRF no more than 300 tpd of organic waste and 500 tpd of Construction and Demolition ("C&D") waste.



	<p>Condition m: The operator may operate on an interim basis, a mechanized C&amp;D waste sort line with the facility's (Total Urban Recycling Facility) TURF/PDRA building while the facility's iMRF is being constructed. The following parameters further define and limit the interim C&amp;D sort line operations: (1) the sort line may only be used to process C&amp;D waste to recover recyclable material; (2) the sort line hours shall not exceed 12 hours/day (between 6 a.m. and 6 p.m.), Monday through Saturday; and (3) the sort line is allowed to process up to 170 tons of C&amp;D waste per day. The operator must discontinue and cease interim C&amp;D processing operations in the TURF/PDRA building once the iMRF is operational and the S.F. Building Department has issued its Certificate of Final Completion. Permanent TURF/PDRA building use is limited to those operations that are described in the facility Transfer Processing Report.</p>	Removes Condition m.
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### **Findings:**

Staff recommends concurrence with the issuance of the proposed modified permit. All of the required submittals and findings required by Title 27, Section 21685 have been provided and made. Staff have determined that California Environmental Quality Act requirements have been met to support concurrence. The findings are summarized in the following table. The documents on which staff's findings are based have been provided to the Program Director with this Staff Report and are permanently maintained in the facility files maintained by the Waste Compliance and Mitigation Program.

CCR Title 27 Sections	Findings	
21685(b)(1) LEA certified complete and correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated February 3, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	The LEA completed a Five Year Permit Review on September 24, 2009 and provided a copy to the Department on September 24, 2009.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	The LEA submitted a proposed solid waste facilities permit copy to the Department on February 3, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable



CCR Title 27 Sections	Findings	
21685 (b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on February 3, 2010 provided a finding that the facility is consistent with PRC 50001. WCMP staff in the Jurisdiction Compliance and Audit Section found that the facility is identified in the Countywide Non-Disposal Facility Element as described in their memo dated February 23, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(7) Operations Consistent with State Minimum Standards	WCMP staff in the Compliance, Evaluation, and Enforcement Division (CEED) found that the facility was in compliance with all operational standards and design requirements during an inspection conducted on March 4, 2010. See compliance history below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) LEA CEQA finding	The LEA provided a finding in their permit submittal package received on February 3, 2010 that the proposed permit is consistent with and supported by the existing CEQA documentation. See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA determination to support responsible agency's findings	The Department is a responsible agency under CEQA with respect to this project, a proposed modified solid waste facilities permit. WCMP staff have determined that the CEQA record can be used to support the Director's action on the proposed modified permit. See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

#### **Compliance History:**

The facility was inspected by WCMP staff in the Compliance, Evaluation, and Enforcement Division on March 4, 2010. No violations were noted. The LEA noted two violations in 2005 for dust control. No other violations have been noted over the last five years.

#### **Environmental Analysis:**

State law requires compliance with the California Environmental Quality Act either through the preparation, circulation and adoption/certification of an environmental document and mitigation reporting or monitoring program, or by determining that the proposal is categorically or statutorily exempt.

A Negative Declaration (ND), State Clearinghouse No. 2000042016 was submitted by the San Francisco Planning Department for improvements at the San Francisco Solid Waste Transfer and Recycling Center, Solid Waste Facility Permit (SWFP) No 38-AA-0001. The ND was circulated for a 30-day review period from April 6, 2000 through May 5, 2000. The document was adopted by the San Francisco Planning Department on August 24, 2000, and a Notice of Determination was filed with the State Clearinghouse on March 3, 2002.

In the 2002 SWFP, Condition "m" addresses a mechanized C & D sort line operated while the proposed iMRF building was being constructed. This permit modification removes condition "m" and changes the name of the Owner and Operator. The Public Disposal and Recycling Area referred to in the current permit has been permitted under a separate Registration level permit.



The LEA has made a finding that the CEQA documents cited in the SWFP support the operation and design on this facility. The San Francisco Department of Planning, and the City of Brisbane, has also determined that the facility is consistent with, and is designated in the General Plan.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the environmental document prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of the Lead Agency for its consideration of the Permit.

The Department's role as a Responsible Agency under CEQA is more limited than the City and County of San Francisco's role as a Lead Agency in that a Responsible Agency may require changes in a project to lessen or avoid only the environmental effects of that part of the project it will carry out or approve, and may disapprove a project to avoid only the environmental effects of that part of the project it will carry out or approve.

#### **Local Issues:**

The California Environmental Quality Act record indicates no offsite cumulative environmental impacts. The project document availability, hearings, and associated meetings were noticed consistent with the California Environmental Quality Act and Solid Waste Facilities Permit requirements. A review from the public process indicates that environmental justice issues were not identified by the surrounding community. Census information indicates that the surrounding population is approximately 17.1% White, 18.4% Black or African American, 0.1 American Indian and Alaska Native, 54.5 % Asian, 1.0% Native Hawaiian and Other Pacific Islander, 5.5% "Some Other Race," and 3.4% Two or more races." 11.6% of the total population described themselves as Hispanic or Latino. 9.4% of the families in the Census Tract were below the poverty level. Staff has not identified any environmental justice issues related to this item. Staff finds the project and permit process to be consistent with Government Code Section 65040.12, as there has been fair treatment of people of all races, cultures, and incomes with respect to the proposed action being recommended above.

#### **Public Comments:**

No public comments have been received by Department or LEA staff. The proposed permit action was posted on the LEA website and no comments were forwarded to the LEA.

#### **Department Staff Actions:**

Staff responded to a number of questions over the past 9 months from the LEA regarding the permit process.